

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Civil Action No.: 3:17-CV-00652**

SNYDER’S-LANCE, INC. and PRINCETON
VANGUARD, LLC,

Plaintiffs,

v.

FRITO-LAY NORTH AMERICA, INC.,

Defendant.

**DECLARATION OF DAVID E.
ARMENDARIZ**

I, David E. Armendariz, declare as follows:

1. I am an attorney employed by the law firm of Pirkey Barber PLLC, which represents Frito-Lay North America, Inc. (“Defendant”) in this case.
2. Attached hereto as **Exhibit 1** is a true and correct copy of the Brief of Amici Curiae filed on March 1, 2017 in *Converse, Inc. v. ITC*, Case No. 16-2497 in the United States Court of Appeals for the Federal Circuit.
3. Attached as **Exhibit 2** are documents excerpted from Exhibit 2 to the Declaration of Christopher Lauzau, submitted by Plaintiffs on October 29, 2018 [Docs. 41–43].
4. Attached hereto as **Exhibit 3** is a true and correct copy of Plaintiffs’ Responses and Objections to Defendant’s First Set of Requests for Production served on December 20, 2018.
5. Attached hereto as **Exhibit 4** are documents produced by Plaintiffs on January 18, 2019, Bates-stamped SLPC_00000035–SLPC_00000036; SLPC_00000080–SPLC_00000085.

6. Attached hereto as **Exhibit 5** are certain documents produced by Plaintiffs on April 19, 2019. The documents have been designated “Confidential” by Plaintiffs pursuant to the Protective Order entered in this case [Doc. 50], and are filed under seal.

7. Below is a list of citations to articles from Exhibit 2 to the Declaration of Christopher Lauzau, submitted by Plaintiffs on October 29, 2018 [Docs. 41–43], that appear to be press releases issued or authorized by Snyder’s-Lance, Inc., Princeton Vanguard, LLC, or an affiliate of one or both:

1. Doc. 41-4 at 14
2. Doc. 41-4 at 15-16
3. Doc. 41-4 at 34-35
4. Doc. 41-4 at 36-37
5. Doc. 41-4 at 38-39
6. Doc. 41-4 at 40-42
7. Doc. 41-4 at 43-44
8. Doc. 41-4 at 48
9. Doc. 41-4 at 55
10. Doc. 41-4 at 59-60
11. Doc. 41-4 at 61-62
12. Doc. 41-4 at 69-73
13. Doc. 41-4 at 108-132
14. Doc. 41-4 at 133-135
15. Doc. 41-4 at 143-144
16. Doc. 41-4 at 146-147
17. Doc. 41-4 at 148-149
18. Doc. 41-4 at 150-151
19. Doc. 41-4 at 161-164
20. Doc. 41-4 at 165-166
21. Doc. 41-4 at 187-188
22. Doc. 41-4 at 197-198
23. Doc. 41-4 at 199-200
24. Doc. 41-4 at 213-214
25. Doc. 41-4 at 236-255
26. Doc. 41-4 at 281-284
27. Doc. 41-4 at 302-303
28. Doc. 41-4 at 322-323
29. Doc. 41-4 at 326-328
30. Doc. 41-4 at 332-333
31. Doc. 41-4 at 334
32. Doc. 41-5 at 42-43

33. Doc. 41-5 at 56-60
34. Doc. 41-5 at 66-76
35. Doc. 41-5 at 85-95
36. Doc. 41-5 at 122-138
37. Doc. 41-5 at 139-148
38. Doc. 41-5 at 149-163
39. Doc. 41-5 at 173-176
40. Doc. 41-5 at 177-179
41. Doc. 41-5 at 180
42. Doc. 41-5 at 192-193
43. Doc. 41-5 at 209
44. Doc. 41-6 at 24
45. Doc. 41-6 at 48-63
46. Doc. 41-6 at 98
47. Doc. 41-6 at 117-118
48. Doc. 41-6 at 121
49. Doc. 41-6 at 152-153
50. Doc. 41-6 at 176-177
51. Doc. 41-6 at 181-182
52. Doc. 41-6 at 189-190
53. Doc. 41-6 at 203-204
54. Doc. 41-6 at 206-219
55. Doc. 41-6 at 220-223
56. Doc. 41-6 at 224
57. Doc. 41-6 at 230
58. Doc. 41-6 at 252-253
59. Doc. 41-6 at 256-260
60. Doc. 41-7 at 51-52
61. Doc. 41-7 at 55-57
62. Doc. 41-7 at 111-124
63. Doc. 41-7 at 130-131
64. Doc. 41-7 at 134-135
65. Doc. 41-7 at 137-153
66. Doc. 41-7 at 154-179
67. Doc. 41-7 at 207-208
68. Doc. 41-7 at 211-212
69. Doc. 41-7 at 223
70. Doc. 41-7 at 229-230
71. Doc. 41-8 at 46-48
72. Doc. 41-8 at 82-96
73. Doc. 41-8 at 110-113
74. Doc. 41-8 at 114
75. Doc. 41-8 at 117-118
76. Doc. 41-8 at 131-132
77. Doc. 41-8 at 143-144
78. Doc. 41-8 at 165-177

- 79. Doc. 41-8 at 193-195
- 80. Doc. 41-8 at 214
- 81. Doc. 41-8 at 226-227
- 82. Doc. 41-8 at 236-248
- 83. Doc. 41-8 at 270-287
- 84. Doc. 41-8 at 295-296
- 85. Doc. 41-8 at 306
- 86. Doc. 41-8 at 320-321
- 87. Doc. 41-9 at 43-50
- 88. Doc. 41-9 at 94-102
- 89. Doc. 41-9 at 118
- 90. Doc. 41-9 at 139-140
- 91. Doc. 41-9 at 148-149
- 92. Doc. 41-9 at 159-160
- 93. Doc. 41-9 at 171-179
- 94. Doc. 41-9 at 180
- 95. Doc. 41-10 at 12-13
- 96. Doc. 41-10 at 14-30
- 97. Doc. 41-10 at 31-40
- 98. Doc. 41-10 at 41-43
- 99. Doc. 41-10 at 62-63
- 100. Doc. 41-10 at 64-65
- 101. Doc. 41-10 at 66-67
- 102. Doc. 41-10 at 76-78
- 103. Doc. 41-10 at 83-84
- 104. Doc. 41-10 at 104
- 105. Doc. 41-10 at 174-176
- 106. Doc. 41-10 at 219-226
- 107. Doc. 41-11 at 11-12
- 108. Doc. 41-11 at 13-14
- 109. Doc. 41-11 at 15-16
- 110. Doc. 41-11 at 22-23
- 111. Doc. 41-11 at 58-60
- 112. Doc. 41-11 at 67-71
- 113. Doc. 41-11 at 76-89
- 114. Doc. 41-12 at 15-17
- 115. Doc. 41-12 at 18-19
- 116. Doc. 41-12 at 47
- 117. Doc. 41-12 at 63-64
- 118. Doc. 41-12 at 67-68
- 119. Doc. 41-12 at 153-161
- 120. Doc. 41-12 at 168-171
- 121. Doc. 41-12 at 184-201
- 122. Doc. 41-12 at 204-206
- 123. Doc. 41-12 at 218-219
- 124. Doc. 41-13 at 39-40

- 125. Doc. 41-13 at 44-45
- 126. Doc. 41-13 at 46-59
- 127. Doc. 41-13 at 60-61
- 128. Doc. 41-13 at 82-83
- 129. Doc. 41-13 at 89-90
- 130. Doc. 41-13 at 154-156
- 131. Doc. 41-13 at 166-167
- 132. Doc. 42-1 at 38-39
- 133. Doc. 42-1 at 63-78
- 134. Doc. 42-1 at 79-85
- 135. Doc. 42-1 at 86-89
- 136. Doc. 42-1 at 92-93
- 137. Doc. 42-1 at 96-97
- 138. Doc. 42-1 at 138-139
- 139. Doc. 42-2 at 21
- 140. Doc. 42-2 at 72-73
- 141. Doc. 42-2 at 80-94
- 142. Doc. 42-2 at 95-107
- 143. Doc. 42-2 at 108-109
- 144. Doc. 42-2 at 112
- 145. Doc. 42-2 at 132-133
- 146. Doc. 42-2 at 138-139
- 147. Doc. 42-2 at 140-141
- 148. Doc. 42-2 at 152-153
- 149. Doc. 42-2 at 165-166
- 150. Doc. 42-2 at 179-180
- 151. Doc. 42-2 at 181-182
- 152. Doc. 42-2 at 183-184
- 153. Doc. 42-2 at 185-201
- 154. Doc. 42-2 at 202-204
- 155. Doc. 42-2 at 207-217
- 156. Doc. 42-2 at 227-228
- 157. Doc. 42-2 at 242-243
- 158. Doc. 42-2 at 269-270
- 159. Doc. 42-3 at 29-31
- 160. Doc. 42-3 at 35-37
- 161. Doc. 42-3 at 40-55
- 162. Doc. 42-3 at 69-77
- 163. Doc. 42-3 at 89-91
- 164. Doc. 42-3 at 114-115
- 165. Doc. 42-3 at 123-124
- 166. Doc. 42-3 at 146-148
- 167. Doc. 42-3 at 157-159
- 168. Doc. 42-3 at 199-200
- 169. Doc. 42-3 at 203-204
- 170. Doc. 42-3 at 207

- 171. Doc. 42-3 at 217-219
- 172. Doc. 42-3 at 226-227
- 173. Doc. 42-3 at 228-230
- 174. Doc. 42-3 at 231-232
- 175. Doc. 42-3 at 233-235
- 176. Doc. 42-3 at 236-238
- 177. Doc. 42-3 at 239-241
- 178. Doc. 42-3 at 242-244
- 179. Doc. 42-3 at 245-247
- 180. Doc. 42-3 at 248-250
- 181. Doc. 42-3 at 251-253
- 182. Doc. 42-3 at 257-258
- 183. Doc. 42-3 at 259-270
- 184. Doc. 42-3 at 279-285
- 185. Doc. 42-3 at 300-301
- 186. Doc. 42-3 at 309-312
- 187. Doc. 42-3 at 313-315
- 188. Doc. 42-4 at 16-18
- 189. Doc. 42-4 at 138-139
- 190. Doc. 42-4 at 148-150
- 191. Doc. 42-5 at 18-19
- 192. Doc. 42-5 at 22-23
- 193. Doc. 42-5 at 24-25
- 194. Doc. 42-5 at 42-43
- 195. Doc. 42-5 at 44-45
- 196. Doc. 42-5 at 46-47
- 197. Doc. 42-5 at 54-68
- 198. Doc. 42-5 at 81-88
- 199. Doc. 42-5 at 90-99
- 200. Doc. 42-5 at 100-101
- 201. Doc. 42-5 at 102-103
- 202. Doc. 42-5 at 112-113
- 203. Doc. 42-5 at 116-117
- 204. Doc. 42-5 at 119-120
- 205. Doc. 42-5 at 121-122
- 206. Doc. 42-5 at 125-126
- 207. Doc. 42-6 at 14-15
- 208. Doc. 42-6 at 16-17
- 209. Doc. 42-6 at 21-22
- 210. Doc. 42-6 at 25-33
- 211. Doc. 42-6 at 34-40
- 212. Doc. 42-6 at 41-48
- 213. Doc. 42-6 at 59-61
- 214. Doc. 42-6 at 94-95
- 215. Doc. 42-6 at 136-137
- 216. Doc. 42-6 at 172-173

- 217. Doc. 42-6 at 180-181
- 218. Doc. 42-6 at 191-203
- 219. Doc. 42-6 at 204-212
- 220. Doc. 42-7 at 24-25
- 221. Doc. 42-7 at 31-33
- 222. Doc. 42-7 at 65-66
- 223. Doc. 42-7 at 67-68
- 224. Doc. 42-7 at 77-78
- 225. Doc. 42-7 at 79-80
- 226. Doc. 42-7 at 83-84
- 227. Doc. 42-7 at 85-86
- 228. Doc. 42-7 at 90-92
- 229. Doc. 42-7 at 96-97
- 230. Doc. 42-7 at 102-115
- 231. Doc. 42-7 at 116-127
- 232. Doc. 42-7 at 128-134
- 233. Doc. 42-7 at 135-137
- 234. Doc. 42-7 at 139-140
- 235. Doc. 42-7 at 144-145
- 236. Doc. 42-7 at 170-171
- 237. Doc. 42-8 at 11-12
- 238. Doc. 42-8 at 16-17
- 239. Doc. 42-8 at 18-19
- 240. Doc. 42-8 at 144-145
- 241. Doc. 42-8 at 152-153
- 242. Doc. 42-8 at 161-162
- 243. Doc. 42-8 at 163
- 244. Doc. 42-8 at 165-166
- 245. Doc. 42-8 at 175-177
- 246. Doc. 42-8 at 184-186
- 247. Doc. 42-8 at 190-201
- 248. Doc. 42-8 at 212-217
- 249. Doc. 42-8 at 228-229
- 250. Doc. 42-8 at 261-262
- 251. Doc. 42-9 at 13-14
- 252. Doc. 42-9 at 25-26
- 253. Doc. 42-9 at 46-47
- 254. Doc. 42-9 at 55-69
- 255. Doc. 42-9 at 84-93
- 256. Doc. 42-9 at 105-106
- 257. Doc. 42-9 at 177-189
- 258. Doc. 42-10 at 17-20.

8. Below is a list of citations to portions of Exhibit 2 to the Declaration of Christopher Lauzau, submitted by Plaintiffs on October 29, 2018 [Docs. 41–43], that are articles about the underlying litigation between the parties.

1. Doc. 41-4 at 11
2. Doc. 41-5 at 11
3. Doc. 41-5 at 18
4. Doc. 41-5 at 107
5. Doc. 41-5 at 212
6. Doc. 41-5 at 214
7. Doc. 41-5 at 226
8. Doc. 41-5 at 249
9. Doc. 41-6 at 201
10. Doc. 41-11 at 92
11. Doc. 41-12 at 22
12. Doc. 41-12 at 133
13. Doc. 41-13 at 22
14. Doc. 41-13 at 70
15. Doc. 41-13 at 93
16. Doc. 41-13 at 94
17. Doc. 41-13 at 151
18. Doc. 41-13 at 153
19. Doc. 41-13 at 160
20. Doc. 42-1 at 13
21. Doc. 42-1 at 25
22. Doc. 42-1 at 34
23. Doc. 42-1 at 40
24. Doc. 42-1 at 48
25. Doc. 42-3 at 92
26. Doc. 42-3 at 125
27. Doc. 42-4 at 113
28. Doc. 42-5 at 26

I declare under penalty of perjury that the foregoing is true and correct. Executed this 14th day of June, 2019, in Austin, Texas.



David E. Armendariz